


The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.



  
Russ Kendig  
United States Bankruptcy Judge

Dated: 11:31 AM December 12, 2013

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE:	)	CHAPTER 11
	)	
FLOWER FACTORY, INC. et al.,	)	CASE NO. 11-60406
	)	
Debtors.	)	ADV. NO. 13-6024
	)	
THE FLOWER FACTORY, INC., et	)	JUDGE RUSS KENDIG
al., CREDITOR TRUST, BY AND	)	
THROUGH DAVID WEHRLE, IN	)	
HIS CAPACITY AS CREDITOR	)	
TRUSTEE,	)	<b>MEMORANDUM OF OPINION</b>
	)	<b>(NOT FOR PUBLICATION)</b>
Plaintiff,	)	
v.	)	
	)	
MAGIC CREATIONS, INC.,	)	
	)	
Defendant.	)	

Plaintiff moved for summary judgment on November 26, 2013. Under the local bankruptcy rules, Defendant's response was due December 10, 2013. Instead of filing a response on December 10, Defendant requested an additional ten days to respond, citing "the holiday schedule and other pending case deadlines."

The court has jurisdiction of this proceeding under 28 U.S.C. § 1334 and the general order of reference entered in this district on April 4, 2012. In accordance with 28 U.S.C. § 1409, venue

in this district and division is proper. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(F).

This opinion is not intended for publication or citation. The availability of this opinion, in electronic or printed form, is not the result of a direct submission by the court.

Plaintiff opposes the extension, citing the January 6, 2014 trial date and December 27, 2013 deadline for submission of trial documents. Plaintiff also points out that Defendant is subject to a show cause hearing on December 19, 2013 for violating orders of the court.

Extensions of the nature requested by Defendant are at the discretion of the court. Marks Mgmt. Corp. v. Reliant Mfg. Inc., 268 B.R. 505 (E.D. Mich. 2001) (citing Ginett v. Fed. Express Corp., 1998 WL 777998 (6<sup>th</sup> Cir. 1998) (unpublished)). Under Federal Bankruptcy Rule 9006(b), a court may enlarge the response deadline “for cause shown.”

Cause in Defendant’s motion is lacking. The court is not convinced that previously known holidays constitute cause to extend deadlines. Similarly, blindly citing other pending deadlines lacks the specificity the court tends to desire to establish cause. In spite of this, the court will grant the motion. Plaintiff previously obtained a two week extension of the dispositive motion deadline in the order granting its motion to compel discovery, pushing against the trial date.

To allow for a full and fair resolution of the show cause hearing and the motion for summary judgment, the court will continue the trial to a date to be determined. The trial will be rescheduled following resolution of the show cause hearing and the summary judgment motion.

An order will be entered immediately.

# # #

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